|  |  |
| --- | --- |
| To: | Council |
| Date: | 27 November 2017 |
| Report of: | Head of Law and Governance |
| Title of Report:  | Proposal for Oxford City Council to consider removing the honorary award of Freedom of the City from Aung San Suu Kyi  |

|  |
| --- |
| Summary and recommendations |
| Purpose of report: |  For Council to consider formally enacting the cross party motion agreed on 2 October 2017 to remove Freedom of the City from Aung San Suu Kyi  |
| Key decision: | No |
| Executive Board Member: | N/A |
| Recommendation: That Council consider the motion adopted at their meeting on 2 October 2017 which recommended the removal of the Freedom of the City of Oxford from Aung San Suu Kyi, and formally implement that recommendation. |

# Introduction and background

At the meeting of Council on 2 October 2017 a cross-party motion was agreed unanimously. This stated:

# *This Council believes the residents of Oxford are deeply concerned about the dreadful attacks on the Rohingya Muslims in Myanmar (Burma) and the flight of refugees into Bangladesh. The City Council has written to Aung San Suu Kyi, the State Counsellor of Myanmar, to ask her to speak out and to do whatever she can to stop the ethnic cleansing in her country.*

# *It was right to give the Freedom of the City to Aung San Suu Kyi in 1997 in recognition of her long struggle for democracy and her personal links to Oxford. However, in the absence of a helpful response from her and with deep regret, Council believes it is no longer appropriate for Aung San Suu Kyi to hold the Freedom of the City.*

# *Oxford City Council resolves to remove the Freedom of the City of Oxford from Aung San Suu Kyi.*

The adoption of this motion does not itself remove the Freedom of the City. Accordingly a special meeting of Council to formally decide whether to remove the honour has been convened.

# Freedom of the City

The Local Government Act 1972 Section 249 (5) (as amended by the Local Democracy, Economic Development and Construction Act 2009) enabled the councils of cities to confer the status of honorary freeman on "(a) persons of distinction and (b) persons who have, in the opinion of the council, rendered eminent services to the local area”.

The Freedom of the City does not confer rights other than to attend formal Council meetings.

A special meeting of the Council can grant the Freedom of the City by passing a resolution:

(a) at a meeting of the relevant authority which is specially convened for the purpose and where notice of the objective of the meeting has been given; and

(b) by not less than two-thirds of the members of the relevant authority who vote on it.

Aung San Suu Kyi was awarded the Freedom of the City at a ceremony on 15 December 1997 in recognition of her work as a pro-democracy campaigner and leader of the opposition National League for Democracy party (NLD) in Burma. She collected this in person on 20 June 2012.

# Removal of the Freedom of the City

The process to be followed for the formal removal of the honour is the reverse of its awarding: that at a specially convened meeting if there is a two-thirds majority of those voting in favour of removal of the award, then the award is thereby removed.

Council is asked to consider the recommendation and the motion and to decide whether to remove the Freedom of the City. To pass this resolution no less than two thirds of councillors voting have to vote in favour.

Should there not be the required a two-thirds voting in favour, then the honour will not be removed.

# Financial implications

1. There are no financial implications.

# Legal issues

Conferral of the Freedom of the City is a power that can be exercised by the City Council. The legislation is silent on the process for the removal, but an honour which can be conferred can subsequently be withdrawn if the conditions which merited the conferral are no longer met.

1. It is therefore considered that the most suitable way of removing the Freedom of the City is to reverse the legal process for making the award. There is no right of appeal against this decision.
2. There are no further legal implications.

|  |  |
| --- | --- |
| **Report author** | Andrew Brown. |
| Job title | Committee and Members Services Manager |
| Service area or department | Law and Governance |
| Telephone  | 01865 252230  |
| e-mail  | ABROWN2@oxford.gov.uk |